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Leroy M. Toliver

21

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52224/296056

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Applicant:

Ayers et al.

Title:

Method and Systems for Directing Requests for
Content to a Content Server Based on Network
Performance

Serial No./Docket No.:

09/575,839

52224/296056

Issue Date

05/22/2000

PAPERS SUBMITTED:

1. PTO/SB/21 Transmittal Form
2. PTO/SB/17 Fee Transmittal FY 2005
3. Petition for Extension of Time Under 37 CFR 1.136 and 1.17
4. Response to July 22, 2004 Office Action

Date: November 22, 2004

By: Leroy M. Toliver, Reg. No. 50,409

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 20 Attorney Docket Number 52224/296056

ENCLOSURES (check all that apply)

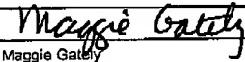
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
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<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

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Signature		Date	November 22, 2004
Typed or printed name	Maggie Gately		

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including the gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments or amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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NOV 22 2004

Patents

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Ayers et al.) Art Unit: 2144
Serial No.: 09/575,839) Examiner: Nguyen, Thanh T.
Filed: 05/22/2000)
For: Methods and Systems for Directing)
Requests for Content to a Content)
Server Based on Network Performance)

RESPONSE TO JULY 22, 2004 OFFICE ACTION AND REQUEST FOR INTERVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Office Action mailed July 22, 2004, please enter the following amendments. Please reconsider the application in light of the amendments and the appended remarks. A request for a one month extension of time is attached to this response.

Prior to the filing of this office action, an attempt was made to conduct an interview with Examiner, but the Primary Examiner's schedule would not permit an interview before the response deadline. The Petitioner requests an interview with the Examiner to discuss the material presented herein.

CERTIFICATION OF FACSIMILE TRANSMISSION

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Typed Name of Person Signing Certification: Maggie Gately

Signature _____

Dated: November 22, 2004

Response to Office Action
Serial No. 09/575,839

AMENDMENT

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks begin on page 15 of this paper.